

WESTERN EUROPE B2C E-COMMERCE MARKET 2017

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- Founded in 2005 and headquartered in Hamburg, Germany, yStats.com is one of the world's leading secondary market research companies.
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GENERAL INFORMATION

PRODUCT DETAILS

Title:	Western Europe B2C E-Commerce Market 2017
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QUESTIONS ANSWERED IN THIS REPORT

What are the prospects of Internet retail through 2020 in France, Germany and the UK?
How fast are the B2C E-Commerce sales in Italy, the Netherlands, Spain and Sweden projected to grow in 2017?
Which key trends influence the growth of B2C E-Commerce in Western Europe?
How do online shoppers in Western Europe differ in terms of product, payment method and delivery preferences?
Who are the leading players across the top 10 B2C E-Commerce markets of Western Europe?

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KEY FINDINGS



WESTERN EUROPE'S B2C E-COMMERCE MARKET IS REACHING NEW HEIGHTS

B2C E-Commerce in Western Europe, the world's third largest market behind Asia and North America, accounted for a high one-digit share of the region's total retail sales in 2016. Within the next few years, this share is projected to be in the double-digits, according to a forecast cited in this report by yStats.com. This fact, along with a high Internet and online shopper penetration rates, characterizes Western Europe as an advanced online retail market. Nevertheless, there is still room for growth, spurred by key market trends such as M-Commerce and omnichannel retail.

The UK is the region's largest online retail market and is also the leader in M-Commerce. Two years ago, one-third of online sales in this country were competed via mobile devices and this share has increased by several percentage points every year since, according to market statistics researched by yStats.com. In another top market of Western Europe, Germany, M-Commerce is growing twice as fast as online retail and ten times faster than overall retail sales. Spain is another example of the mobile shopping surge: one in two online shoppers there made purchases via mobile devices in 2016, compared to around one in three a year ago.

Along with M-Commerce, omnichannel retail is showing strong development across Western Europe, according to the findings of the yStats.com report. For example, in France, close to 50% of online shoppers researched a purchase in-store and ordered online, and even a higher share did the research online and bought in-store. A recent consumer survey conducted in Sweden revealed that omnichannel shoppers spent more on their latest purchase than consumers who only used one retail channel, and in Austria, a high discrepancy between website visit and purchase rates for store-based retailers indicate that customers are in the habit of browsing products online, but not necessarily buying them from the same channel.

Regarding the market competition, Amazon is a major rival by sales generated in the top 3 markets of Western Europe and one of the most visited E-Commerce websites in nearly all of the countries covered by yStats.com in this report. In the UK, close to a quarter of consumers named Amazon their favorite retail brand in 2016, and in Germany, above 50% of online shoppers start their purchase journey by researching on Amazon.

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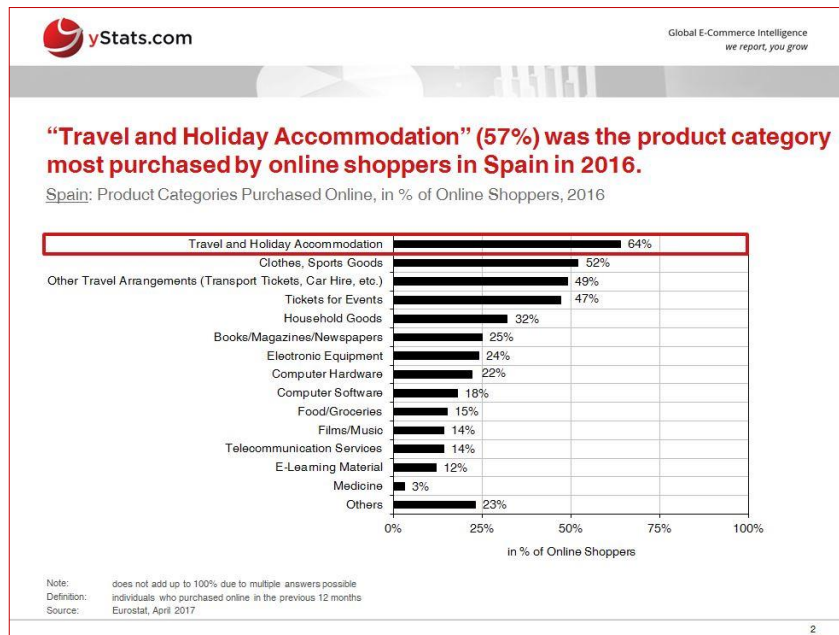
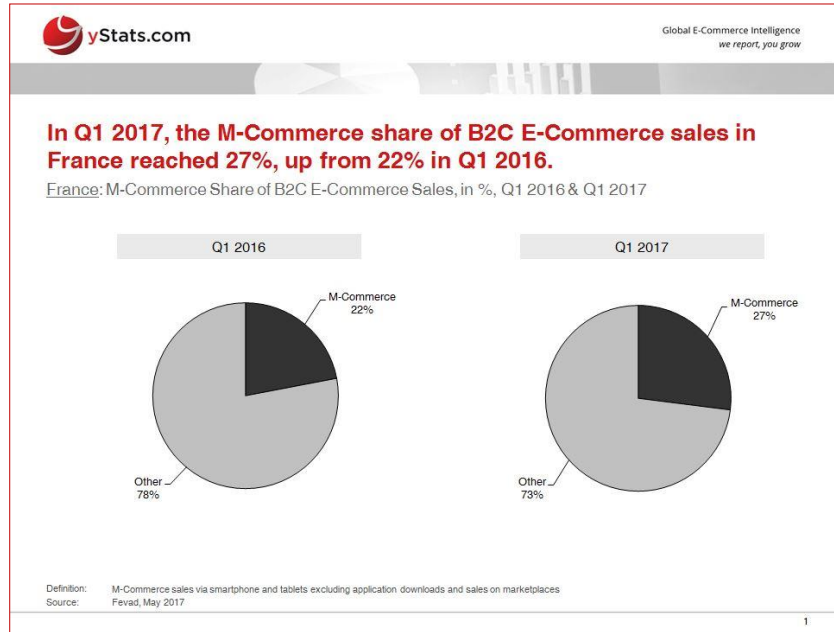
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WESTERN EUROPE B2C E-COMMERCE MARKET 2017

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WESTERN EUROPE B2C E-COMMERCE MARKET 2017

METHODOLOGY

GENERAL METHODOLOGY OF OUR MARKET REPORTS

Secondary Market Research

The reports are compiled based on secondary market research. Secondary research is information gathered from previously published sources. Our reports are solely based on information and data acquired from national and international statistical offices, industry and trade associations, business reports, business and company databases, journals, company registries, news portals and many other reliable sources. By using various sources we ensure maximum objectivity for all obtained data. As a result, companies gain a precise and unbiased impression of the market situation.

Cross referencing of data is conducted in order to ensure validity and reliability.

The source of information and its release date are provided on every chart. It is possible that the information contained in one chart is derived from several sources. If this is the case, all sources are mentioned on the chart.

The reports include mainly data from the last 12 months prior to the date of report publication. Exact publication dates are mentioned in every chart.

Definitions

The reports take into account a broad definition of B2C E-Commerce, which might include mobile commerce. As definitions may vary among sources, exact definition used by the source (if available) is included at the bottom of the chart.

Chart Types

Our reports include text charts, pie charts, bar charts, rankings, line graphs and tables. Every chart contains an Action Title, which

summarizes the main idea/finding of the chart and a Subtitle, which provides necessary information about the country, the topic, units or measures of currency, and the applicable time period(s) to which the data refers. With respect to rankings, it is possible that the summation of all categories amounts to more than 100%. In this case, multiple answers were possible, which is noted at the bottom of the chart.

Report Structure

Reports are comprised of the following elements, in the following order: Cover page, preface, legal notice, methodology, definitions, table of contents, management summary (summarizing main information contained in each section of report) and report content (divided into sections and chapters). When available, we also include forecasts in our report content. These forecasts are not our own; they are published by reliable sources. Within Global and Regional reports, we include all major developed and emerging markets, ranked in order of importance by using evaluative criteria such as sales figures.

Notes and Currency Values

If available, additional information about the data collection, for example the time of survey and number of people surveyed, is provided in the form of a note. In some cases, the note (also) contains additional information needed to fully understand the contents of the respective data.

When providing information about amounts of money, local currencies are most often used. When referencing currency values in the Action Title, the EUR values are also provided in brackets. The conversions are always made using the average currency exchange rate for the respective time period. Should the currency figure be in the future, the average exchange rate of the past 12 months is used.

METHODOLOGY OF OUR WESTERN EUROPE B2C E-COMMERCE MARKET 2017

Report Coverage

This report covers the B2C E-Commerce market in Western Europe. Major advanced and emerging markets in this region are covered, including Austria, Belgium, France, Germany, Italy, the Netherlands, Portugal, Spain, Sweden, Switzerland and the UK. A broad definition of retail E-Commerce used by some original sources cited in this report might include both B2C and C2C E-Commerce.

The report contains relevant information about international comparisons, market trends, E-Commerce sales and shares, Internet users and shoppers, products, payment methods, delivery and players

Report Structure

The report starts with an overview of the regional E-Commerce market, regional and country comparisons in terms of criteria relevant to B2C E-Commerce, such as sales, the E-Commerce share of retail, Internet and online shopper penetration. The rest of the report is divided into country chapters, presented in the descending order of retail E-Commerce sales. Data availability varied by country.

Each country description starts with the "Trends" section that highlights relevant market trends, such as M-Commerce, omnichannel, and cross-border online shopping.

The section "Sales & Shares" covers the development of B2C E-Commerce sales and E-Commerce's share of total retail sales. For top markets in the region, information from several sources was provided for cross-referencing.

In the "Users & Shoppers" section, information about Internet penetration and online shoppers is included.

Afterwards, the section "Products" shows the leading product categories purchased online.

The next section, "Payment", covers the payment methods most used by online shoppers.

Furthermore, the "Delivery" section covers information related to delivery in E-Commerce.

Finally, the "Players" section includes information about the leading E-Commerce companies, including rankings of top online shopping platforms by sales, website visits, awareness and usage rates by online shoppers, where available.

For the top two B2C E-Commerce markets in the region, the UK and Germany, the country descriptions start with an overview chart, highlighting the overall B2C E-Commerce development in the respective countries.

WESTERN EUROPE B2C E-COMMERCE MARKET 2017

RELATED REPORTS

PUBLISHED RELATED REPORTS

REPORT	PUBLICATION DATE	PRICE *
Europe M-Commerce 2017	June 2017	€ 750
Europe Cross-Border B2C E-Commerce 2017	February 2017	€ 1,950
Europe Online Payment Methods: Full Year 2016	March 2017	€ 1,950
Europe Online Travel Market 2016	October 2016	€ 750
Europe Clothing B2C E-Commerce Market 2016	August 2016	€ 950
UK B2C E-Commerce Sales Forecasts: 2016 to 2020	December 2016	€ 450
Germany B2C E-Commerce Sales Forecasts: 2016 to 2020	December 2016	€ 450
Global Mobile Payment Methods: Full Year 2016	March 2017	€ 1,950
Global Mobile Wallets 2017: Competitors and Market Opportunities	January 2017	€ 1,950
Global Cross-Border B2C E-Commerce 2017	February 2017	€ 2,950
Global Online Payment Methods: Full Year 2016	March 2017	€ 2,950
Global Online Travel Market 2016	October 2016	€ 2,450
Global Clothing B2C E-Commerce Market 2016	August 2016	€ 2,450
Asia-Pacific B2C E-Commerce Market 2017	June 2017	€ 3,950
South Korea B2C E-Commerce Market 2017	June 2017	€ 750
India B2C E-Commerce Market 2017	May 2017	€ 950
China B2C E-Commerce Market 2017	May 2017	€ 950
Southeast Asia B2C E-Commerce Market 2017	May 2017	€ 1,950
Global B2C E-Commerce Market 2016	June 2016	€ 3,950
Middle East B2C E-Commerce Market 2016	May 2016	€ 1,950
Africa B2C E-Commerce Market 2016	May 2016	€ 1,950
Latin America B2C E-Commerce Market 2016	March 2016	€ 1,450

UPCOMING RELATED REPORTS

REPORT	PUBLICATION DATE	PRICE*
Russia B2C E-Commerce Market 2017	July 2017	€ 950
Poland B2C E-Commerce Market 2017	July 2017	€ 950
Europe B2C E-Commerce Market 2017	July 2017	€ 3,950
Europe Online Payment Methods: First Half 2017	July 2017	€ 950

* We occasionally offer a discount on selected reports as newer reports are published. Please see the most up-to-date pricing on our website www.ystats.com. All prices exclude VAT. All above-mentioned prices reflect the value of a Single User License. Prices for Site Licenses are 1.5x the Single User License price. Prices for Global Site Licenses are 2x the Single User License price. For more information regarding our Licenses, please see our Frequently Asked Questions section of this Product Brochure or refer to our Order Form.

ABOUT YSTATS.COM CLIENTS

QUOTES FROM OUR CLIENTS

TRAVIS WITTEVEEN
CHIEF OPERATING OFFICER – MARKETS AND OPERATIONS
AVIRA GMBH: LEADING EUROPEAN SOFTWARE COMPANY

“As a company that operates on a global level, the research results that yStats.com provides represent significant added benefit for us. The comprehensive analyses are executed quickly and flexibly. Furthermore, they are a reliable resource for helping us to make strategic decisions.”

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DIRECTOR INVESTOR AND PUBLIC RELATIONS
WIRECARD AG: LEADING E-BANKING COMPANY

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SELECTED CLIENTS

INTERNET

- Google
- Amazon
- eBay
- Skype
- Newegg
- Avira
- Digital River
- First Data
- Deutsche Telekom
- 1&1
- Brightcove

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- Goldman Sachs
- Credit Suisse
- Bank of America Merrill Lynch
- Citigroup
- Oppenheimer & Co.
- Morgan Stanley

CONSULTING

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- Deloitte
- Bain & Company
- Accenture

RETAIL

- OTTO Group
- Amway
- Costco
- Tchibo Direct
- Diesel

OTHER

- Nintendo
- Bwin
- Lego
- Redbull
- BASF
- Beiersdorf

FREQUENTLY ASKED QUESTIONS

ABOUT US

■ Why use yStats.com?

yStats.com can be your provider of the most current B2C E-Commerce data. Whether you seek country-specific, topic-specific, regional or global information, we ensure through secondary market research maximum objectivity for all data obtained. With our boardroom-ready PowerPoint presentations you save time and money.

■ What are the benefits of secondary market research?

Secondary research is a not only a cost-effective alternative to conducting primary research studies, but it is also a time-efficient solution. Our researchers derive information and data from a variety of reliable published sources and compile the data into understandable and easy-to-use formats

■ Does yStats.com provide consulting services?

No, we do not provide consulting services in any form.

OUR PRODUCTS

■ What types of Products does yStats.com offer?

yStats.com offers individual market reports and full access subscriptions (varying in license types and duration) to current and future published reports. The currently available reports can be found in the Market Reports section of our website. The list of soon-to-be-published reports can be found in the Upcoming Reports Section on our homepage. For a more extensive list of upcoming reports, please contact us directly. For more information about our Full Access subscription, please see the Full Access page on our website. Apart from market reports and subscription, yStats.com also offers custom research services.

■ What is your research methodology?

Our reports are exclusively based on secondary market research. Our researchers derive information and data from a variety of previously published, reliable sources and compile the data into understandable and easy-to-use formats.

■ From which sources is information for reports derived?

Our reports are solely based on information and data acquired from national and international statistical offices, industry and trade associations, business reports, business and company databases, journals, company registries, news portals and many other reliable sources. By using various sources we ensure maximum objectivity for all data obtained.

■ Is information in the reports comparable across countries?

Due to the fact that information included in the market reports

is derived from different sources which might rely on different definitions, some information might not be comparable across countries.

■ What are the report format options?

Our reports are published in PDF and PowerPoint formats. PowerPoints are ready-to-use for boardroom presentations, but also easily editable to suit your business needs!

■ Does yStats.com offer reports in other languages?

All of our reports are published in English at this time.

■ How can I find the most relevant report?

On our website, you can use various search features or search by keyword. You can also contact us directly describing your research needs and we will help you find the appropriate report that satisfies them.

■ How do I know which license to choose when purchasing individual reports?

When purchasing a report, you must select the appropriate license. A Single User License: allows one user to access the downloaded report.

A Site License: allows up to ten (10) users of a company within a specified geographic area (i.e. country) to access the downloaded report.

A Global Site License: allows up to ten (10) users of a company worldwide to access the downloaded report. Please choose the appropriate license with care, as all purchases are subject to our Terms & Conditions.

■ Can I purchase only selected parts of a report?

Unfortunately, our market reports are only sold as a whole.

■ Is there an overlap between country, regional and global reports on the same topic?

Some reports can have overlapping content, such as regional reports containing content from parts of individual country reports. Please consult the Table of Contents or contact us if any questions should arise.

■ I would like to see a sample of a report. Where can I find it?

Free sample charts from each report can be viewed in the product brochure. Also a standard free sample is available for download from each report page. To get an idea what our reports look like you can download a standard Free Full Report from our online shop.

For a full version of Frequently Asked Questions, please visit: <https://www.ystats.com/faq-by-section/>

FREQUENTLY ASKED QUESTIONS

OUR PRODUCTS (CONT.)

■ When will an update of a particular report be published?

In general, our market reports are published on an annual basis. Online Payment reports are updated on a semiannual basis. Please consult the “Upcoming Reports” section on our homepage or “Related Reports” section of our product brochure. We have a publication schedule that we adhere to, so if you’d like to know about a specific report, please contact us.

■ Do you offer subscriptions to reports?

Yes, we do have a number of subscription options called “Full Access”. Some leading international enterprises subscribe to our reports to get the most comprehensive insight into B2C E-Commerce and online payment markets worldwide contained in our market reports collection and ensure cost efficiency. There are several Full Access subscription options varying in number of possible seats allocated and duration of subscription. For more information on our various Full Access Subscription offers, see our Full Access Subscription page on our website and contact us.

OUR SERVICES

■ I need more information about a particular topic. Do you offer further products or services?

Apart from market reports, we also offer Custom Research. With our Custom Research solutions, you receive research tailored to your needs, answering your specific questions. The Custom Research types include In-Depth Industry Research, Competitive Intelligence and Company Profiles, Corporate Customer Identification in international markets, Investor Snapshots and Country Fact Sheets.

■ I still need help finding the right report – do you offer additional personal search?

yStats.com offers services in which our researchers who prepare the reports can point you to the appropriate report to suit your needs. If you want to take advantage of this free service, please contact us.

ORDERING & DELIVERY

■ How do I order a report?

Our reports can be purchased most easily through our Online Shop, but are also available for purchase offline. To purchase a report from our Online Shop: Choose the relevant report and appropriate license, click „Add to Cart”, then complete the necessary check out steps. Payment options include major credit cards (MasterCard, Visa, American Express, Maestro, China UnionPay) or PayPal. Once your online payment has been completed, you will be able to click on „Download”, which will take you to your “my yStats” account, from where your report will be available as a PDF and PPT for download.

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■ Will I get an invoice?

For online shop purchases, an invoice will be sent to you automatically via email to the email address entered in the billing details immediately after completion of payment. For offline orders, an invoice is sent per email after the complete order form is received.

■ How long does delivery take?

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■ Do I have to pay tax if I purchase a report?

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■ What is yStats.com's VAT number?

yStats.com's VAT number is DE 251661218

POLICIES


■ What is yStats.com's return/refund/cancellation policy?

Since our reports are information-based digital products and therefore consumed upon purchase/download, we will not refund, allow cancellation or accept any returns of orders. Please read through all information about a product before purchasing. If you should have any questions about a product, please do not hesitate to contact us via our contact details as listed on our homepage.


For a full version of Frequently Asked Questions, please visit: <https://www.ystats.com/faq-by-section/>

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_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TOTAL					

CHOOSE YOUR PAYMENT METHOD

Choose Your Preferred Payment Method:

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- VISA MasterCard
- American Express China UnionPay

- Bank Transfer**
- Bank Transfer information will be provided to you in the invoice you receive following submission of an Order Form offline.

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- An invoice will be sent via e-mail to the e-mail address as listed in the contact details below. Payment via PayPal will be made available upon receipt of the invoice.

CARD HOLDER _____

CARD NUMBER _____

EXP. DATE _____

SECURITY CODE** _____

**if you prefer, this can be communicated over the phone or via secured e-mail communication.

COMPLETE YOUR CONTACT DETAILS

An invoice will be sent to your company

TITLE _____	FIRST NAME, LAST NAME _____	JOB TITLE _____
COMPANY _____	E-MAIL _____	PHONE _____
FAX _____	STREET _____	CITY _____
STATE / PROVINCE _____	POSTAL CODE _____	COUNTRY _____

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- Press Release
- LinkedIn/XING
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- Personal Recommendation
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ORDER DATE _____

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We herewith contradict any terms and conditions of purchase by our customers which will not become part of the Contract.

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1.1 The following terms and conditions apply to our entire contract (the „Contract“) between yStats.com GmbH & Co. KG (hereinafter also referred to as „we“ or „us“) with our customers regarding (i) the purchase of our reports both on- and offline, (ii) custom research services, (iii) full access subscriptions, and (iv) any other contracts between us and our customers executed with reference to these terms and conditions (any reports and other services and products which we may make available to the customer under a Contract hereinafter the „products“).

1.2 Agreements contrary to these terms and conditions require our express written confirmation. Deviations between these terms and conditions and the contents of the Order Form will be accepted if and only if expressly agreed upon by both our customer(s) and us in writing, limited to the case of custom research orders, at which point the contents of the Order Form shall prevail.

2. REPORT AND FULL-ACCESS SUBSCRIPTION OFFERS & ORDERS

2.1 With respect to the purchase of our Market Reports, purchase can be made either online or offline.
2.2 Our homepage contains information about pricing, acceptable payment methods and product brochures. To purchase a Market Report directly from our online shop, simply click „Add to Cart“, then „Proceed to Checkout“, where registration and payment details can be entered. As soon as payment is processed successfully, you will receive an Invoice via email and the Report will be available online for download.

2.3 To purchase a Market Report offline (not via the online shop) simply print the Report Order Form from the appropriate online brochure or by clicking on the Fax Order button on our webpage. Simply fill out the Report Order Form, have a duly authorized representative sign the Report Order Form and then submit the Report Order Form to us via facsimile or email with PDF-attachment. Upon receipt of a completed Report Order Form, you will obtain an Invoice detailing the product ordered, price, and date of payment. Upon successful processing of payment, access and log-in details will be forwarded to the purchaser within two (2) business days.

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2.5 To purchase one of our Full Access Subscriptions, please contact us through the appropriate forum on our website, located under the Full Access tab on our homepage. Once we receive an inquiry, we will forward an Order Form to be filled out and signed by a duly authorized representative. Once this Order Form has been completed and signed, please send the Order Form via facsimile or email with PDF-attachment. Upon receipt of the completed Order Form, we will send an invoice detailing price of the „Full Access Subscription“ and payment method options. Upon successful processing of payment, access and log-in details will be forwarded to the purchaser within two (2) business days. The provision of this information constitutes the acceptance should you not have been provided with a separate acceptance in writing.

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3.1 Unless expressly agreed upon otherwise in writing, the contents of our offers may not be made available in whole or in part to any third party outside your organization.

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4.1 All prices for offline orders are to be derived exclusively from the Order Form and/or the documents referenced therein. All prices for orders placed via the online shop are those which are displayed on our website.

4.2 All prices are net and without transportation costs, if applicable. Value Added Tax, if applicable, at the statutory rate shall be added to all fees payable hereunder.

4.3 For all services that go beyond the scope as agreed under the Order Form, a reasonable additional fee for these services shall be discussed and agreed upon with the customer before commencement of any work and will be itemized on the final Invoice (if applicable) sent to the customer.

4.4 We will send our Invoice to you upon execution of the Contract, unless agreed otherwise in the Order Form. In the event that you order our product „Full Access Subscription“, we will send our Invoice for the first contract year upon execution of the Contract. Any Invoice(s) for any subsequent contract year(s), will be sent to you upon commencement of each contract year.

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4.6 All customer's rights of retention or set-off are hereby excluded to the extent that they are not based on the same contractual relationship. Retentions or set-offs are allowed only if the customer's claim is undisputed, has become unappealable or is ready for decision.

4.7 In the event of a customer's default in payment or other apparent credit unworthiness, all remaining claims against that customer shall become immediately due and payable in full. This only applies if the customer is responsible for the default. We shall be entitled to rescind payment terms previously agreed upon and to demand payment in advance or other appropriate security with respect to pending deliveries. A customer shall be deemed unworthy of credit in particular when he files a petition in bankruptcy or composition proceedings.

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5.1 All copyrights and other intellectual property rights in connection with our products and all contents of our website remain with us. All data carriers remain our property. The customer/user may not modify, publish, transmit, transfer or sell, reproduce, create derivative works from, distribute, perform, display, or in any way exploit any of the products made available by us, in whole or in part, except as expressly permitted under the Contract.

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5.4 For Market Report purchases, in the event that the parties agree on a „Single User License“ under the Order

Form, this means that only one (1) individually named user of an organization shall be entitled to access the report(s). In the event that the parties agree on a „Site License“ under the Order Form, this means that up to ten (10) users within a given geographical location (as specified in the Order Form) of an organization shall be entitled to access the report. In the event that the parties agree on a „Global Site License“, this means that up to ten (10) worldwide users of an organization shall be entitled to access the report. In both cases, the term „organization“ refers to your specific company only and excludes any third parties, including affiliates.

5.5 For Full Access Subscription purchases, in the event that the parties agree on a „10-Seat Full Access License“ under the Order Form, this means that up to ten (10) worldwide users of an organization shall be granted Full Access to the reports. In the event that the parties agree on a „15-Seat Full Access License“ under the Order Form, this means that up to fifteen (15) worldwide users of an organization shall be granted Full Access to the reports. In the event that the parties agree on a „20-Seat Full Access License“, this means that up to twenty (20) worldwide users of an organization shall be granted Full Access to the reports. In the event that the parties agree on an „Unlimited Seat Full Access License“, this means that an unlimited number of worldwide users of an organization shall be granted Full Access to the reports. In all cases, the term „organization“ refers to your specific company only and excludes any third parties, including affiliates.

5.6 For the specific case of a purchase of an „Unlimited Full Access License“, the following limitations apply:

5.6.1 Our reports may be used for internal purposes, in part or in entirety, limited only as is expressed in this Section 5 of yStats.com GmbH & Co. KG Terms & Conditions.
5.6.2 The sharing of our reports, in part or in entirety, via the upload to/use of a company's intranet network is hereby allowed only with the purchase of an „Unlimited Full Access License.“
5.6.3 No data from our reports may be reproduced or republished in any identical or near identical form in any of a company's final products or content used for external purposes without our expressed written permission.

6. TECHNICAL INFORMATION

6.1 We shall provide our products in the following standardized data formats: PowerPoint and PDF. For custom research reports, Excel documents may also be provided, upon request.

6.2 You must ensure that you have the corresponding technical resources to make use of these data. You may not derive any claims in this connection on grounds of breach of obligation.

6.3 Upon successful processing of payment, purchases made via the online shop will be immediately available to download. For all offline purchases, upon successful processing of payment, you will receive the requested product(s) and service(s) in the aforementioned standardized data formats, and all additional data pertaining thereto within two (2) business days.

7. DEFECTS AS TO QUALITY

7.1 No claims for defects as to quality are triggered by insignificant discrepancies between our products and services and the warranted quality or fitness for use.

7.2 Likewise, no claims for defects as to quality may be derived from entrepreneurial risks – e.g., with regard to questions of entrepreneurial discretion, an erroneous assessment of the market situation or the failure to recognize a business action's merit.

7.3 Defect-based claims are further excluded in cases of excessive or improper use or in connection with damages caused by extraordinary conditions not reflected in the Order Form. This is also true in cases of subsequent changes made by the customers or third parties unless such changes do not affect the analysis and removal of a given defect.

7.4 Claims for defects as to quality expire within one year from the commencement of the legal statute of limitation. This limitation does not apply to the extent that applicable law stipulates a longer period in cases of intentional or grossly negligent breaches of duty on the part of us, fraudulent concealment of a defect and injuries to life, body and health.

7.5 Claims for damages and the reimbursement of expenditures are further subject to Section 9.

8. LEGAL DEFECTS

8.1 We are liable for products and services infringing on third party rights only if and to the extent that our products and services are used in accordance with the agreed contractual requirements.

8.2 Unless agreed otherwise, our liability for the infringement on third-party rights is limited to the territory of the European Union and the European Economic Area as well as the place of its services' proper use as agreed under the applicable Order.

8.3 In the event that a third party asserts claims against the customer, alleging that a service performed by us violates its rights, the customer shall promptly notify us. If a service rendered by us violates third party rights, we shall choose one of the below actions, duly taking into consideration the customer's interests:

- a) procuring for the customer the right to use the service; or
- b) revising the service to render it free of legal violations.

8.4 Upon our request, the Customer shall assist us with the defense against third party claims according to this section 8, with each of the Parties bearing the costs of the use of its own personnel and counsel.

8.5 Claims the Customer may hold for legal defects expire in accordance with Section 7.4.

8.6 Claims for damages and the reimbursement of expenditures are further subject to Section 9.

9. LIABILITY

9.1 In cases of intentional misconduct and gross negligence, we are fully liable pursuant to applicable law.

9.2 Besides Section 9.1, we are not liable for any damages, especially but not limited to any incidental, special, punitive or consequential damages, loss of profits or loss of data. This limitation does not apply to any claims for damages due to damage to life, body or health in cases of simple negligence and – subject to the limitations set forth hereinafter – due to damage caused by a breach of a material contractual obligation. Material contractual obligations are obligations that (i) you reasonably relied upon at execution of the applicable Order Form and (ii) was of critical significance to the outcome of performance.

9.3 In case of a negligent breach of a material contractual obligation our liability for damages – except for damage to life, body or health – is limited to typical and at the time of the formation of this Contract foreseeable damage.

9.4 The aforementioned limitations do also apply to our liability for fault by our bodies, employees and vicarious agents as well as our bodies', employees' and vicarious agents' personal liability.

9.5 Our liability for damages under warranties (Beschaffenheitsgarantien) is limited to instances in which the warranty expressly includes such liability.

9.6 Claims for the reimbursement of expenditures and other liability claims asserted by the Customer against us are subject to sections 9.1 through 9.5.

10. CONFIDENTIALITY

10.1 The Parties shall hold in strict confidence for a period of 10 years of the formation of this Contract regarding all data and information materials of which they gain knowledge as part of a Contract, be it orally, in writing or otherwise, directly or indirectly, provided that such data or information materials are designated confidential or must be considered confidential based on their nature, and shall use them exclusively as part of the services covered by the relevant Order. This duty of confidentiality excludes data and information materials that:

- a) were already known or accessible to any third party at the time of disclosure;
 - b) which is lawfully disclosed to you by a third party that is not subject to a confidentiality obligation regarding this data or information;
 - c) must be disclosed by order of and to a government agency or another competent third party; and
 - d) must be disclosed to legal or tax advisors of the contractual customer in question for consulting purposes.
- In the cases of Sections b) and c) above, the parties shall (i) promptly inform each other about a given request and prior to disclosing confidential information, and (ii) limit the disclosure of confidential information to the minimum required.

10.2 We may use your company name and logo as a reference so long as no contractual details are divulged.

11. JURISDICTION, GOVERNING LAW, MISCELLANEOUS

11.1 In Contracts with merchants, legal persons under public law, or special assets (Sondervermögen) under public law, the place of payment is Hamburg, Germany.

11.2 In Contracts with merchants, legal persons under public law, or special assets (Sondervermögen) under public law, all disputes arising from or in connection with any Contract between the Parties shall exclusively be resolved through the courts of Hamburg. Governing law is German law under exclusion of the CISG.